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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE*Sent Via Fax To: 571-273-8300 & 571-273-2315*

In re application of : Docket No.: CV-0038A

JOHN MOON ET AL : Group No.: 2872

Serial No.: 10/661,234 : Confirmation: 6836

Filed: September 12, 2003

Title: Diffraction Grating-based Encoded Particle *(As Previously Amended)*Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT AFTER FINAL**

Dear Sir:

In response to the Final Action mailed September 13, 2005 and a discussion with the Examiner on Dec. 5, 2005, please amend the above-identified application as follows:

IN THE SPECIFICATION

Please amend the specification, as follows:

The paragraph on page 2, lines 5-10 should read:

"According to the present invention, an encoded particle includes a particle substrate; at least a portion of ~~said the~~ substrate being made of a substantially single material and having at least one diffraction grating embedded therein, said grating having a resultant refractive index variation within ~~said the~~ single material at a grating location, the refractive index variation comprising a plurality of refractive index pitches superimposed at the grating location; and the grating providing an output optical signal indicative of a code when illuminated by an incident light signal propagating ~~in free space from outside the substrate~~, the output optical signal being a result of passive, non-resonant scattering from the grating when illuminated by the incident light signal."